

FEDERAL PUBLIC DEFENDER

NORTHERN DISTRICT OF CALIFORNIA
555 12TH STREET, SUITE 650
OAKLAND CALIFORNIA 94607-3627

BARRY J. PORTMAN
Federal Public Defender

Telephone (510) 637-3500
Fax (510) 637-3507

October 9, 2007

VIA FACSIMILE (510) 637-3545

Magistrate Judge Wayne D. Brazil
1301 Clay Street, Courtroom No. 4
Oakland, CA 94612
attn: Ivy Garcia

United States v. Allen Randle, CR 07-635 MJJ (WDB)

RE: Requested modification to terms of release

Dear Judge Brazil :

Mr. Randle is scheduled to appear before Your Honor tomorrow, October 10, 2007, at 10:00 a.m. regarding status on the Rule 5 transfer from the Eastern District of California. I understand that the case has formally been transferred to this district and assigned to Judge Jenkins under the case number referenced above and that tomorrow Mr. Randle will be notified again about the charges and given a date to appear before Judge Jenkins. At tomorrow's appearance, I also will be asking the Court to consider modifying Mr. Randle's conditions of release to allow him to leave the half-way house and live with his significant other, Amy Wilson, along with her 8 year old son and their 3 ½ month baby, Nickolas.

Mr. Randle has been staying at the half-way house for approximately four months with no problems. He also is working. Counsel did not request a modification to his release conditions previously because the case was still pending in Fresno and the prosecutor there, who objects to Mr. Randle's release from the half-way house, was still deciding whether or not to allow the case to be transferred. The parties have agreed upon a plea agreement, however, and the case has now been transferred to this district. Mr. Randle is anxious to get home to his family and new baby as soon as possible. Ms. Amy Wilson, who signed the bond, does not object to the proposed change of conditions and she is willing to remain on the bond. I believe that she also would be willing to be a custodian if the Court so requests.

United States Pretrial Services Officer Victoria Gibson has been notified that I would make this request but I am unaware as to whether or not she objects. SAUSA Bryan Whittaker also has been notified of the request. Counsel is unsure whether or not he objects to the request.

Honorable Judge Wayne D. Brazil
Page 2
October 9, 2007

Sincerely,

BARRY J. PORTMAN
Federal Public Defender

/S/

JOYCE LEAVITT
Assistant Federal Public Defender

cc: Bryan Whittaker, SAUSA
Victoria Gibson, US Pretrial Services